

Sector 10

PATENT

Rev.3/94



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:  
S. Carl Falco et al.

CASE NO.: BB1067 US CNT

APPLICATION NO.: 09/989339

CONFIRMATION NO.: 4340

GROUP ART UNIT: UNKNOWN

EXAMINER: UNKNOWN

FILED: NOVEMBER 20, 2001

FOR: PLANT METHIONINE SYNTHASE GENE AND METHODS FOR INCREASING  
THE METHIONINE CONTENT OF THE SEEDS OF PLANTS

**RESPONSE TO NOTICE OF INCOMPLETE  
NONPROVISIONAL APPLICATION**

**COPY OF PAPERS  
ORIGINALLY FILED**

Assistant Commissioner for Patents  
Washington, DC 20231

Attention: Box Missing Parts

Sir:

In response to the Notice of Incomplete Nonprovisional Application mailed December 17, 2001 (a copy of which is attached), enclosed is a complete specification as prescribed by 35 U.S.C. 112 as required and a copy of the oath and declaration for the above-referenced application. Please charge the \$130.00 surcharge fee applicable for filing the Declaration on a date later than the filing date to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). If the fee is insufficient or incorrect, please charge or credit the balance to the above-identified account.

Respectfully submitted,

LYNNE M. CHRISTENBURY  
ATTORNEY FOR APPLICANTS  
REGISTRATION NO. 30,971  
TELEPHONE: (302) 992-5481  
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02/15/2002 NM0HANN1 00000095 041928 09989339

01 FC:105 130.00 CH

Dated: January 28, 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/989,339	11/20/2001		BB1067 US CNT

CONFIRMATION NO. 4340

## FORMALITIES LETTER



\*OC00000007200977\*

23906  
 E I DU PONT DE NEMOURS AND COMPANY  
 LEGAL DEPARTMENT - PATENTS  
 1007 MARKET STREET  
 WILMINGTON, DE 19898

COPY OF PAPERS  
 ORIGINALLY FILED

Date Mailed: 12/17/2001

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within TWO MONTHS of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification is missing.  
*A complete specification as prescribed by 35 U.S.C. 112 is required.*

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

*A copy of this notice MUST be returned with the reply.*

B/S

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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Washington, D.C. 20231

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ORIGINALLY FILED**

on January 25, 2002  
Date

Lisa Z. Turner  
Signature

**LISA Z. TURNER**

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

09/989339

BB1067 US CNT

MISSING PARTS COVER LETTER - INCOMPLETE NONPROV. Application 135

COPY SPECIFICATION

COPY OF DECLARATION

COPY OF NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

135 Copy

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**IP FEE TRANSMITTAL  
for FY 2002**

*FEB 12 2002*

*Patent fees are subject to annual revision.*

*Applicant Claims small entity status. See 37 CFR 1.27*

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> 130	<b>Complete If Known</b>
		Application Number 09/989339
		Filing Date November 20, 2001
		First Named Inventor S. Carl Falco
		Examiner Name Unknown
		Group / Art Unit Unknown
		Attorney Docket No. BB1067 US CNT

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																											
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None				<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th colspan="2">Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Fee Code</td> <td>Fee (\$)</td> <td>Fee Code</td> <td>Fee (\$)</td> <td></td> </tr> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for reexamination</td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design issue fee</td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(q)</td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> </tr> <tr> <td colspan="4">Other fee (specify) _____</td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3)</td> <td>(\$)</td> </tr> <tr> <td colspan="4">**or number previously paid, if greater; 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SUBMITTED BY						Complete (if applicable)	
Name (Print/Type)	Lynne M. Christenbury		Registration No. Attorney/Agent	30,971	Telephone	302-992-5481	
Signature	<i>Lynne M. Christenbury</i>				Date	<i>Jan 28, 2002</i>	

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